

16-6a-1513 Withdrawal of foreign nonprofit corporation.

- (1) A foreign nonprofit corporation authorized to conduct affairs in this state may not withdraw from this state until its application for withdrawal has been filed by the division.
- (2) A foreign nonprofit corporation authorized to conduct affairs in this state may apply for withdrawal by delivering to the division for filing an application for withdrawal setting forth:
 - (a) its corporate name and its assumed name, if any;
 - (b) the name of the state or country under whose law it is incorporated;
 - (c)
 - (i)
 - (A) the address of its principal office; or
 - (B) if a principal office is not to be maintained, a statement that the foreign nonprofit corporation will not maintain a principal office; and
 - (ii) if different from the address of the principal office or if no principal office is to be maintained, the address to which service of process may be mailed pursuant to Section 16-6a-1514;
 - (d) that the foreign nonprofit corporation is not conducting affairs in this state;
 - (e) that it surrenders its authority to conduct affairs in this state;
 - (f) whether its registered agent will continue to be authorized to accept service on its behalf in any proceeding based on a cause of action arising during the time it was authorized to conduct affairs in this state; and
 - (g) any additional information that the division determines is necessary or appropriate to:
 - (i) determine whether the foreign nonprofit corporation is entitled to withdraw; and
 - (ii) determine and assess any unpaid taxes, fees, and penalties payable by the foreign nonprofit corporation as prescribed by this chapter.
- (3) A foreign nonprofit corporation's application for withdrawal may not be filed by the division until:
 - (a) all outstanding fees and state tax obligations have been paid; and
 - (b) the division has received a certificate from the State Tax Commission reciting that all taxes owed by the foreign nonprofit corporation have been paid.

Enacted by Chapter 300, 2000 General Session